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PATENTS
112056-0167
P01-1728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)
Shane S. Owara et al.)
Serial No.: 10/796,249)
Filed: March 9, 2004)
For: SYSTEM AND METHOD FOR IN-)
DEXING A BACKUP USING PER-)
SISTENT CONSISTENCY POINT)
IMAGES)

Examiner: Richard L. Ellis

Art Unit: 2171

Cesari and McKenna, LLP
88 Black Falcon Avenue
Boston, MA 02210
July 13, 2005

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Melissa Altman
Melissa L. Altman

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In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicants wish to bring to the Examiner's attention the references listed on the accompanying form PTO-1449. A copy of each listed reference is enclosed.

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To the extent required by 37 C.F.R. §1.98(a)(3), Applicants have described what they consider to be the relevance of any foreign-language reference. The Office may find additionally relevant material in these or other references.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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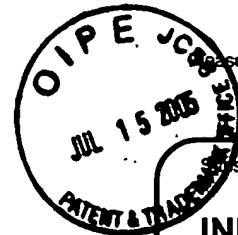
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

1 of 3

Complete if Known

Application Number	10/796,249
Filing Date	March 9, 2004
First Named Inventor	Shane S. Owara et al.
Group Art Unit	2171
Examiner Name	Richard L. Ellis
Attorney Docket Number	112056-0167

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1	4,570,217		Allen et al.	02-11-1986	
	2	5,163,131		Row et al.	11-10-1992	
	3	5,202,979		Hillis et al.	04-13-1993	
	4	5,278,979		Foster et al.	01-11-1994	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	5	AKYUREK, SEDAT, <i>Placing Replicated Data to Reduce Seek Delays</i> , Department of Computer Science, University of Maryland, UMIACS-TR-91-121, CS-TR-2746, August 1991.
	6	BITTON, DINA, <i>Disk Shadowing</i> , Proceedings of the 14 th VLDB Conference, LA, CA 1988.
	7	CHAUDHURI, SURAJIT, ET AL., <i>Self-Tuning Technology in Microsoft SQL Server</i> , Data Engineering Journal 22, 2 1999 pp. 20-27.
	8	CHUTANI, SAILESH, ET AL., <i>The Episode File System</i> , In Proceedings of the USENIX Winter 1992.
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Examiner Signature		Date Considered
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
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	22	OUSTERHOUT, JOHN ET AL., <i>Beating the I/O Bottleneck: A Case for Log-Structured File Systems</i> , Technical Report, Computer Science Division, Electrical Engineering and Computer Sciences, University of California at Berkeley, October 30, 1988.		
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	25	PETERSON, ZACHARY NATHANIEL JOSEPH, <i>Data Placement for Copy-on-Write Using Virtual Contiguity</i> , University of CA, Santa Cruz, Master's Thesis for the Department of Science in Computer Science, September 2002.		

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